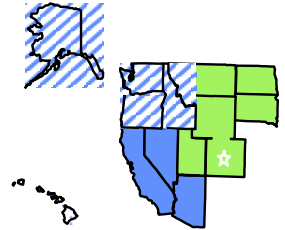




US Army Environmental Center Western Regional Environmental Office REGION 9 – FEBRUARY 2003 WESTERN REGION REVIEW



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting US Army activities & operations in the Federal Region 9 area: Arizona, California, Hawaii and Nevada. We appreciate your feedback & encourage you to submit suggestions for future discussion. Please contact Marius Gedgaudas at the Western Regional Environmental Office, U.S. Custom House, 721 19th Street, Room 427, Denver, CO 80202-2500, or e-mail: mgedgaud@rma.army.mil.

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DID YOU KNOW?

- The electronic version of the Western Region Review has been enhanced to increase ease in navigating through the document. Simply "click" on a topic in the table of contents and go directly to that section – to return to the top of the section click "top of section" - and to return to the top of document click "top of review". In addition, the agency emblems/logos and state flags hyperlink directly to the website – simply click and you are on your way.

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FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

AIR INFORMATION:

FINAL RULE – REVISIONS TO NEW SOURCE REVIEW PROGRAM – On 31 December 2002 (67 FR 80186), EPA revised regulations governing the New Source Review (NSR) programs mandated by the Clean Air Act. These revisions include changes in NSR applicability requirements for modifications to allow sources more flexibility to respond to rapidly changing markets and to plan for future investments in pollution control and prevention technologies. These changes reflect EPA's consideration of discussions and recommendations of the Clean Air Act Advisory Committee's Subcommittee on NSR, Permits and Toxics, comments filed by the public, and meetings and discussions with interested stakeholders. The changes are intended to provide greater regulatory certainty, administrative flexibility, and permit streamlining, while ensuring the current level of environmental protection and benefit derived from the program. This rule is effective on 3 March 2003. For further information, contact Lynn Hutchinson, EPA at (919) 541-5795, or e-mail: hutchinson.lynn@epa.gov.

FINAL RULE – EXEMPTING QUARANTINE AND PRE-SHIPMENT APPLICATIONS OF METHYL BROMIDE – On 2 January 2003 (68 FR 237), EPA took final action to amend the accelerated phase out regulations that govern the production, import, export, transformation and destruction of substances that deplete the ozone layer under the authority of Title VI of the Clean Air Act. The amendments incorporate an exemption permitted under the Montreal Protocol on Substances that Deplete the Ozone Layer and required by changes in Title VI. Specifically, EPA has created an exemption from the consumption and production phase out for quantities of Class I, Group VI controlled substances (methyl bromide) that are used for quarantine and pre-shipment. This rule was effective 1 January 2003. For further information, contact Kate Choban, EPA at (202) 564-3524.

FINAL RULE – NESHAP FOR SOLID WASTE LANDFILLS – On 16 January 2003 (68 FR 2227), EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for municipal solid waste (MSW) landfills. The final rule is applicable to both major and area sources and contains the same requirements as the Emission Guidelines and New Source Performance Standards. The final rule adds startup, shutdown, and malfunction requirements, adds operating condition deviations for out-of-bounds monitoring parameters, requires timely control of bioreactor landfills, and changes the reporting frequency for one type of report. The final rule fulfills the requirements of section 112(d) of the Clean Air Act (CAA), which requires the Administrator to regulate emissions of hazardous air pollutants (HAP) listed in section 112(b), and helps implement the Urban Air Toxics Strategy developed under section 112(k) of the CAA. The intent of the standards is to protect the public health by requiring new and existing sources to control emissions of HAP to the level reflecting the maximum achievable control technology. The HAP emitted from MSW landfills include vinyl chloride, ethyl benzene, toluene, and benzene. Each of the HAP emitted from MSW landfills can cause adverse health effects provided sufficient exposure. The rule was effective 16 January 2003. For further information, contact JoLynn Collins, EPA at (919) 541-5671, or e-mail: collins.jolynn@epa.gov.

FINAL RULE – ALLOWANCE SYSTEM FOR HCFC PRODUCTION AND CONSUMPTION – On 21 January 2003 (68 FR 2819), EPA established an allowance system to control the U.S. consumption and production of ozone-depleting substances (ODSs) known as hydrochlorofluorocarbons (HCFCs). While much less destructive to the stratospheric ozone layer than chlorofluorocarbons (CFCs), HCFCs do

contribute to ozone depletion and alternatives are generally available. The HCFC allowance system is part of EPA's program to reduce the emissions of ODSs to protect the stratospheric ozone layer. Protection of the stratospheric ozone layer helps reduce rates of skin cancer and cataracts. The U.S. is obligated under the Montreal Protocol on Substances that Deplete the Ozone Layer to limit HCFC consumption to a specific level and to reduce it in a step-wise fashion beginning 1 January 2004. The U.S. has also agreed to limit production to a specific level beginning January 1, 2004. The rule was effective 21 January 2003. For further information, contact Vera Au, EPA at (202) 564-2216.

FINAL RULE – REQUIREMENTS FOR SMALL MUNICIPAL WASTE COMBUSTION UNITS – On 31 January 2003 (68 FR 5143), EPA promulgated a Federal plan to implement emission guidelines for small municipal waste combustion (MWC) units (i.e., units with a design combustion capacity of 35 to 250 tons per day of municipal waste), constructed on or before 30 August 1999, located in areas not covered by an approved state or tribal plan. The Federal plan is an interim action because on the effective date of an approved state plan or tribal plan, the Federal plan will no longer apply to small MWC units covered by the state or tribal plan. The Federal plan includes the following elements: identification of legal authority; identification of mechanisms for implementation; inventory of affected facilities; emissions inventory; emission limits; compliance schedules; public hearing requirements; reporting and recordkeeping requirements; and public progress reports. The rule was effective 31 January 2003. For further information, contact Lalit Banker, EPA at (919) 541-5420, or e-mail: banker.lalit@epa.gov.

FINAL RESPONSE TO REMAND – NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE On 6 January 2003 (68 FR 613), EPA provided a final response to a Court of Appeals remand to consider potential beneficial health effects of ozone (O₃). Based on its review of the air quality criteria and national ambient air quality standards (NAAQS) for O₃ completed in 1997, its additional assessment of potential beneficial effects of tropospheric O₃, and taking into account public comments, EPA has determined that information linking (a) changes in patterns of ground-level O₃ concentrations likely to occur as a result of programs implemented to attain the 1997 O₃ NAAQS to (b) changes in relevant patterns of exposures to ultraviolet radiation of concern to public health is too uncertain at this time to warrant any relaxation in the level of public health protection previously determined to be requisite to protect against demonstrated direct adverse respiratory effects of exposure to O₃ in the ambient air. As a result, the revised O₃ NAAQS will remain set at a level of 0.08 parts per million, with a form based on the 3-year average of the annual fourth-highest daily maximum 8-hour average O₃ concentrations measured at each monitor within an area. The effective date of EPA's response is 7 March 2003. For further information, contact Susan Stone, EPA at (919) 541-1146, or e-mail: stone.susan@epa.gov.

PROPOSED RULE – ROUTINE MAINTENANCE, REPAIR AND REPLACEMENT – On 31 December 2002 (67 FR 80290), EPA proposed revisions to the regulations governing NSR programs mandated by the Clean Air Act. These proposed changes reflect EPA's consideration of the President's National Energy Policy (NEP), EPA's Report to the President on the impact of NSR pursuant to the NEP, and EPA's recommended changes to NSR based on the Report's findings and discussions with various stakeholders, including representatives from industry, state and local governments, and environmental groups. The proposed changes provide a future category of activities that would be considered to be routine maintenance, repair and replacement under the NSR program. The changes are intended to provide greater regulatory certainty without sacrificing the current level of environmental protection and benefit derived from the program. Comments must be received by 3 March 2003. For further information, contact Dave Svendsgaard, EPA at (919) 541-2380, or e-mail: svendsgaard.dave@epa.gov.

PROPOSED RULE – NESHAP FOR PLYWOOD AND COMPOSITE WOOD PRODUCTS – On 9 January 2003 (68 FR 1275), EPA proposed national emission standards for hazardous air pollutants (NESHAP) for the plywood and composite wood products (PCWP) source category. EPA has determined that the PCWP source category contains major sources of hazardous air pollutants (HAP), including acetaldehyde, acrolein, formaldehyde, methanol, phenol, and propionaldehyde. These HAP are associated with a variety of adverse health effects, including chronic health disorders (e.g., damage to nasal membranes, reproductive disorders, and problems with pregnancies) and acute health disorders (e.g., irritation of eyes, throat, and mucous membranes, dizziness, headache, and nausea). Three of the HAP have been classified as probable or possible human carcinogens. These proposed standards would

implement section 112(d) of the Clean Air Act by requiring all major sources subject to the rule to meet HAP emission standards reflecting the application of the maximum achievable control technology. Implementation of the proposed standards would reduce HAP emissions from the PCWP source category by approximately 11,000 tons per year. In addition, the proposed standards would reduce emissions of volatile organic compounds by 27,000 tons per year. This action also proposes to add a method to the relevant General Provisions to measure methanol, formaldehyde, and phenol and a method to measure total HAP at PCWP facilities. Comments must be submitted by 10 March 2003. For further information, contact Mary Kissell, EPA at (919) 541-4516, or e-mail: kissell.mary@epa.gov.

PROPOSED RULE – NESHAP FOR INDUSTRIAL/COMMERCIAL/INSTITUTIONAL BOILERS AND PROCESS HEATERS – On 13 January 2003 (68 FR 1659), EPA proposed national emission standards for hazardous air pollutants (NESHAP) for industrial/ commercial/institutional boilers and process heaters. EPA has identified industrial/commercial/institutional boilers and process heaters as major sources of hazardous air pollutants (HAP) emissions. The proposed rule would implement section 112(d) of the Clean Air Act (CAA) by requiring all major sources to meet HAP emissions standards reflecting the application of the maximum achievable control technology. The proposed rule would reduce HAP emissions by 58,000 tons per year. The proposed rule would protect air quality and promote the public health by reducing emissions of some of the HAP listed in section 112(b)(1) of the CAA. The HAP emitted by facilities in the boiler and process heater source category include arsenic, cadmium, chromium, hydrogen chloride, hydrogen fluoride, lead, manganese, mercury, and nickel. Exposure to these substances has been demonstrated to cause adverse health effects such as irritation to the lung, skin, and mucus membranes, effects on the central nervous system, kidney damage, and cancer. Comments must be submitted by 14 March 2003. For further information, contact Jim Eddinger, at (919) 541-5426, or e-mail: eddingejim@epa.gov.

PROPOSED RULE – NESHAP FOR STATIONARY COMBUSTION TURBINES – On 14 January 2003 (68 FR 1887), EPA proposed national emission standards for hazardous air pollutants (NESHAP) for stationary combustion turbines. EPA identified stationary combustion turbines as major sources of hazardous air pollutants (HAP) emissions such as formaldehyde, toluene, benzene, and acetaldehyde. The proposed NESHAP would implement section 112(d) of the Clean Air Act (CAA) by requiring all major sources to meet HAP emission standards reflecting the application of the maximum achievable control technology for combustion turbines. The proposed standards would protect public health by reducing total national HAP emissions by an estimated 81 tons/year in the 5th year after the standards are promulgated. This action also proposed to add Method 323 of 40 CFR part 63, appendix A for the measurement of formaldehyde emissions from natural gas-fired stationary sources. Comments must be submitted by 13 February 2003. For further information, contact Sims Roy, EPA at (919) 541- 5263, or e-mail: roy.sims@epa.gov.

WASTE INFORMATION:

NOTICE - UPDATE OF FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET – On 2 January 2003 (68 FR 107), EPA issued a notice updating the Federal Agency Hazardous Waste Compliance Docket required by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA) of 1986. SARA, as amended by the Defense Authorization Act of 1997, specifies that, for each federal facility that is included on the docket during an update, a site evaluation shall be completed to determine whether the facility should conduct further remedial studies. For further information, link: <http://www.epa.gov/compliance/cleanup/federal/index.html>.

WATER INFORMATION:

INTERIM FINAL RULE – NON-TRANSPORTATION-RELATED ONSHORE AND OFFSHORE FACILITIES SPCC PLANNING DEADLINE EXTENSION – On 9 January 2003 (68 FR 1347), EPA extended for sixty days the dates for a facility to amend its Spill Prevention, Control, and Countermeasure (SPCC) Plan and implement the amended Plan (or, in the case of facilities becoming operational after

16 August 2002, prepare and implement a Plan that complies with the newly amended requirements). EPA took this action to avoid the flood of individual extension requests it would otherwise receive from regulated facilities, and to allow for adequate consideration of comments EPA expects to receive on a proposed one-year extension of the dates (68 FR 1352, 9 January 2003). The interim final rule was effective on 9 January 2003. For further information, contact Mark Howard, EPA at (703) 603-8715, or e-mail: howard.markw@epa.gov.

NOTICE OF AVAILABILITY – FINAL WATER QUALITY TRADING POLICY – On 13 January 2003 (68 FR 1608), EPA announced the availability of its final Water Quality Trading Policy. The final policy describes ways that water quality trading programs may be aligned with the Clean Water Act and implementing regulations, and describes elements of environmentally sound trading programs. Water quality trading is a voluntary, incentive-based approach that can offer greater efficiency in restoring or protecting water bodies. Trading allows a source to meet its regulatory obligations by using pollutant reductions created by another party with lower pollution control costs. The policy offers guidance to states and tribes on developing and implementing water quality trading programs. All water quality trading should occur within a watershed or a defined area for which a TMDL has been approved. The policy is available at <http://www.epa.gov/owow/watershed/trading.htm>. For further information, contact David Batchelor, EPA at (202) 564-5764, or e-mail: batchelor.david@epa.gov.

GENERAL INFORMATION:

FINAL RULE – TSCA INVENTORY UPDATE RULE AMENDMENTS – On 7 January 2003 (68 FR 847), EPA promulgated amendments to the Toxic Substances Control Act (TSCA) section 8(a) Inventory Update Rule (IUR). The IUR currently requires manufacturers (including importers) of certain chemical substances on the TSCA Chemical Substances Inventory to report data on each chemical's current production volume, site-limited status, and plant site information every 4 years. Through these IUR amendments, EPA is requiring the reporting of additional data for certain chemicals to assist EPA and others in screening potential exposures and risks resulting from industrial chemical operations and commercial and consumer uses of TSCA chemical substances. EPA is also modifying the IUR reporting and record-keeping requirements, removing one reporting exemption and creating others, and modifying its procedures for making Confidential Business Information claims. These amendments were effective 6 February 2003. For further information, contact Barbara Cunningham, EPA at (202) 564-8170.

NOTICE OF AVAILABILITY – “FEDFACS” NEWSLETTER (WINTER EDITION) – “FedFacs” is an EPA environmental bulletin highlighting news and developments of particular interest to Federal facilities, including DoD installations. “FedFacs” highlights compliance assistance for Federal agencies, pollution prevention information, EPA-Federal agency partnerships, and other topical information. The Winter Issue contains articles on base closures, online compliance tracking reports, sulfur emissions, EMS workshops, and agreements with several military installations. The current edition (as well as past issues) is available at: <http://www.epa.gov/compliance/resources/newsletters/civil/fedfac/index.html>.



GENERAL INFORMATION

FINAL RULE – UPDATE OF HAZARDOUS MATERIAL TRANSPORTATION REGULATIONS – On 8 January 2003 (68 FR 1013), the U.S. Department of Transportation, Research and Special Programs Administration, amended the Hazardous Materials Regulations by updating incorporation by reference materials to include the most recent amendments to the International Maritime Dangerous Goods Code, the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air, and the United Nations Recommendations on the Transport of Dangerous Goods. This

action was taken to facilitate the continued transport of hazardous materials in international commerce by aircraft and vessel after these international standards become effective. For further information, contact Joan McIntyre at (202) 366-8553.

NOTICE – WITHDRAWAL OF PROPOSED LISTING OF FLAT-TAILED HORNED LIZARD AS THREATENED

– On 3 January 2003 (68 FR 331), the U.S. Fish and Wildlife Service (FWS) determined that the proposed listing of the flat-tailed horned lizard (*Phrynosoma mcallii*) as threatened, pursuant to the Endangered Species Act (ESA), was not warranted, and withdrew proposed rule. FWS made this determination because threats to the species as identified in the proposed rule were not as significant as earlier believed, and current available data do not indicate that the threats to the species and its habitat, as analyzed under the five listing factors described in section 4(a)(1) of the ESA, are likely to endanger the species in the foreseeable future throughout all or a significant portion of its range. For further information, contact Jim Bartel, FWS at (760) 431-9440.

GAO REPORT – FEDERAL GOVERNMENT USE AND DISPOSAL OF ENGINE LIBRICATING OIL

GAO has published a report addressing the use and disposal of engine lubricating oil within federal agencies, including DoD. The report contains a discussion of three options for reducing cost and amount of oil used (bypass filters, synthetic lubricating oils, and oil analysis programs). The report is available at <http://www.gao.gov/new.items/d03340.pdf>. For further information, contact William Solisat at (202) 512-8365, or e-mail: solisw@goa.gov.

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UPCOMING CONFERENCES, SYMPOSIUMS, AND TRAINING ANNOUNCEMENTS

DSMOA TRAINING WORKSHOPS

25-26 February 2003 – Sacramento, California
18-19 March 2003 – Colorado Springs, Colorado
2-3 April 2003 – Palm Springs, California
30 April-1 May 2003 – Seattle, Washington
6-7 May 2003 – Anchorage, Alaska

DoD has announced its 2003 series of workshops for the DoD and State Memorandum of Agreements (DSMOA) training initiative. These workshops will focus on teaching a standardized approach to the 6-Step Cooperative Agreement process and promoting a productive dialogue between members of the DSMOA program. Both DoD and state DSMOA personnel are encouraged to attend. For more information or to register, link <http://www.enstg.com/conference>.

SUPER ENERGY SAVINGS PERFORMANCE CONTRACTING WORKSHOP

25-26 February 2003 – San Francisco, California
20-21 May 2003 – Indianapolis, Indiana
22-23 July 2003 – Washington, DC

The U.S. Department of Energy, Federal Energy Management Program, is presenting this free workshop for federal employees involved in energy management, engineering, and procurement. Attendees will learn how to lower capital costs while reducing long-term energy and water bills. For more information or to register, call (703) 243-8343.

HAZARDOUS WASTE MANIFESTING/DOT CERTIFICATION COURSES

17-21 March 2003 – San Diego, California

The Army Corps of Engineers Hazardous Waste Center is conducting an **initial certification** course that provides the necessary information under RCRA and DOT regulations to properly manifest hazardous wastes offsite. The course covers waste classification, waste profiling, Land Disposal Restriction notification requirements, universal waste, used oil, asbestos, and PCB shipping requirements. In addition, there will be a DOT **recertification** course on 18-19 March. These courses are open to all federal agencies. For more information or to register, contact Joy Rodriguez at (256) 895-7448.

ARMY ENVIRONMENTAL TRAINING WORKSHOP

23-28 March 2003 – Kansas City, Missouri

The Army Training and Doctrine Command (TRADOC) and the Army Environmental Center (AEC) are sponsoring this workshop, which will consist of numerous environmental short courses and seminars. It is intended to provide: 1) awareness and training in Army environmental programs; 2) preparation for the new installation management business models, such as TIM and EMS; and 3) opportunities for installation staff to obtain program updates and share lessons learned. For more information, contact Susan West, TRADOC at (757) 788-2279, e-mail: wests@Monroe.army.mil, or Susan Thomas, AEC at (410) 436-6899, e-mail: Susan.Thomas@aec.apgea.army.mil.

29th ENVIRONMENTAL AND ENERGY SYMPOSIUM

7-10 April 2003 – Richmond, Virginia

This symposium is sponsored by the National Defense Industrial Association, Environment and Energy Division, in cooperation with the Deputy Under Secretary of Defense for Installations and Environment, the Defense Logistics Agency, EPA and DOE. It will provide a national forum for the exchange of technical information, government policy, regulations, programs and laws, and new ideas on environmental and energy issues and areas of concern. For more information, contact Derek Jenks at djenks@ndia.org or link <http://register.ndia.org/interview/register.ndia?~Brochure~3440>.

INTRODUCTORY HEALTH RISK COMMUNICATION WORKSHOPS**8-10 April 2003 – Las Vegas, Nevada****15-17 April 2003 – Anchorage, Alaska****26-28 August 2003 – Seattle, Washington**

The Army Center for Health Promotion and Preventative Medicine is presenting these workshops to instruct participants how to identify, build, maintain, and use strategic partnerships and plans to support an organization's mission. The workshop will provide a basic understanding of the concepts, principles, and process of effective risk communication. Topics include: History and Philosophy of Risk Communication, Steps of the Risk Communication Process, Importance of Identifying, Understanding, and Collaborating with Key Stakeholders, Pitfalls to Effective Risk Communication, and Basic Tools for Engaging the Media. For more information or to register, contact Suaquita Perry (410) 436-3515, or link <http://chppm-www.apgea.army.mil/risk>.

NATIONAL POLLUTION PREVENTION ROUNDTABLE SPRING CONFERENCE**8-11 April 2003 – Louisville, Kentucky**

The Pollution Prevention (P2) Roundtable will bring together pollution prevention practitioners and experts to share the latest in policy, regulatory, and technical information. The meeting will feature special tracks on Environmental Management Systems and P2, international sustainability policy discussions as a follow-up to the World Summit, and P2's role in addressing global climate change challenges. For more information, link <http://www.p2.org/events/spring2003/>.

WATER RESOURCE MANAGEMENT WORKSHOP**15-16 April, 2003 – Denver, Colorado**

The Federal Energy Management Program is presenting this workshop for facility resource managers responsible for water management and conservation, and for adherence to Executive Order 13123. The course will cover legislation and legal issues concerning water management in the federal sector; impacts of Executive Order 13123; opportunities for water conservation; auditing, leak detection and metering; drought management; and integrated resource planning. For more information or to register, link <http://www.pnl.gov/femp>.

25TH SYMPOSIUM ON BIOTECHNOLOGY FOR FUELS & CHEMICALS**4-7 May 2002 – Breckenridge, Colorado**

The National Renewable Energy Laboratory is sponsoring this symposium, which focuses on improving the economics of fuels and chemicals production. The program will cover the latest research breakthroughs and results in biotechnology. A variety of formal technical sessions, poster sessions, and informal discussion groups will provide an exchange of information for attendees. For more information or registration, link http://www.nrel.gov/biotech_symposium.

INTERMEDIATE HEALTH RISK COMMUNICATION WORKSHOP**12-15 May 2003 – San Antonio, Texas**

The Army Center for Health Promotion and Preventative Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop builds on the "Introductory Health Risk Communication Workshop" listed above (a pre-requisite for this course) and will provide participants with hands-on experience in applying the steps of the risk communication process, on-camera media practice, and seminar-style discussions of "hot" issues impacting military health and readiness. For more information or to register, contact Suaquita Perry (410) 436-3515, or link <http://chppm-www.apgea.army.mil/risk>.

9TH NATIONAL CLEAN CITIES CONFERENCE**18-21 May 2003 – Palm Springs, California**

The Department of Energy is sponsoring this conference and exposition. Topics will include alternative fuel vehicles, energy security, and clean air. For more information or to register, link http://www.cities.doe.gov/conference/palm/palm_home.shtml.

REAL WORLD CLEAN AIR SYMPOSIUM**19-22 May 2003 – Seattle, Washington**

This event will be sponsored by the U.S. Army Forces Command, Hill Air Force Base, Fort Irwin, and the West Coast Section, Air and Waste Management Association, with support from the Army Training and Doctrine Command, the Army Environmental Center, and EPA. Topics to be addressed include installation sustainability, Environmental Management Systems, installation air program management, pollution prevention, and homeland security. For more information, contact Michelle Kubal at (937) 254-7950, ext. 1168, e-mail mkubal@anteon.com, or link <http://www.usasymposium.com>.

11th ANNUAL GLOBAL DEMILITARIZATION SYMPOSIUM**19-22 May 2003 – Sparks, Nevada**

The Joint Ordnance Commanders Group and the National Defense Industrial Association are presenting this symposium to support DoD in efforts directed at reducing the stockpile of excess and obsolete munitions. Topics include ongoing disposal, recycling and reuse programs, research and development efforts, transitioning technologies, and the latest policy issues. For more information, contact Paul Cole at (918) 420-8823, or link <http://www.ndia.org/events/brochure/3580/>.

FEDERAL ENERGY DECISION SYSTEM WORKSHOPS**21-23 May 2003 – Anchorage, Alaska**

The Federal Energy Management Program is presenting two courses on the Federal Energy Decision System (FEDS). The Introduction to FEDS will be on 21 May, followed by a two-day advanced course. Participants will learn the features and capabilities of the FEDS 5.0 software and use it to quickly and objectively identify energy improvements for maximum cost-effective savings in accordance with life-cycle-costing methodology. For more information or to register, link <http://www.pnl.gov/femp>.

2003 ARMY CWA/SDWA WORKSHOP**2-5 June 2003 – Albuquerque, New Mexico**

The Army is sponsoring this water issues workshop for Army environmental personnel to increase the understanding of the requirements and challenges of CWA and SDWA management at all levels of Army organization. The workshop will include presentations relevant to installation environmental concerns such as DoD perspective and insight, technical and regulatory updates, lessons learned at installations, and panel discussions. The final agenda is being developed. For more information, contact Kristin MacAulay at (937) 384-4242, e-mail: Kristin.MacAulay@westonsolutions.com, or link: <http://dm.westonproject.net/wiw/>.

AIR AND WASTE MANAGEMENT ANNUAL CONFERENCE & EXHIBITION**22-26 June 2003 – San Diego, California**

AWMA will be presenting its 96th annual conference with the theme: "Environment in the Balance...THE JOURNEY AHEAD," and will focus on "Energy, Economy & Global Challenges." AWMA has issued a call for Abstracts and had posted a Technical Program grid on its website. For more information, link <http://www.awma.org>.

8TH ANNUAL JOINT SERVICES P2 & HAZARDOUS WASTE MANAGEMENT CONFERENCE**11-14 August 2003 – San Antonio, Texas**

The Naval Facilities Engineering Command and the Air Force Center for Environmental Excellence are co-hosting this conference, which will provide an open forum for exchanging ideas, success stories, case histories, and technologies related to pollution prevention and hazardous waste management. This year's theme is: "Sustaining Readiness Through Environmental Stewardship." A call for abstracts has been issued, with a closing date of 5 March 2003. For more information, link: <http://www.p2-hwmconference.com>.

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STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



ARIZONA

Regulatory Developments & Other State Information

NOTICE OF AVAILABILITY – FINAL RECOVERY PLAN FOR SONORA TIGER SALAMANDER – On 3 January 2003 (68 FR 386), the U.S. Fish and Wildlife Service (FWS) announced the availability of the final Recovery Plan for the Sonora tiger salamander (*Ambystoma tigrinum stebbinsi*). The species occurs on lands managed by the U.S. Forest Service, Coronado National Forest, U.S. Army, Fort Huachuca, Arizona State Parks, and private lands in the San Rafael Valley and adjacent portions of the Huachuca and Patagonia mountains in southeastern Santa Cruz and southwestern Cochise counties, Arizona. The Plan is available at <http://arizonaes.fws.gov>. For further information, contact Jim Rorabaugh, FWS at (602) 640-2720 x238.

NOTICE AND REQUEST FOR PUBLIC COMMENTS – DRAFT RECOVERY PLAN FOR CACTUS FERRUGINOUS PYGMY-OWL – On 9 January 2003 (68 FR 1189), FWS announced the availability for public review of a Draft Recovery Plan for the Cactus Ferruginous Pygmy-owl (*Glaucidium brasilianum cactorum*). The species is currently known to occur on Federal, state, tribal, and private lands in Pima and Pinal Counties in southern Arizona. FWS solicits review and comment from the public on this Draft Plan. Comments must be received by 9 April 2003. For further information, contact Scott Richardson, FWS at (520) 670-4643.

AIR INFORMATION:

FINAL RULE – APPROVAL OF SIP REVISIONS FOR INSPECTION/MAINTENANCE PROGRAMS

On 22 January 2003 (68 FR 2912), EPA approved two State Implementation Plan (SIP) revisions submitted by the Arizona Department of Environmental Quality. These revisions consist of several changes that have been made to Arizona's Basic and Enhanced Vehicle Emissions Inspection and Maintenance Programs, after the programs were approved by EPA in 1995. Arizona's Basic Vehicle Emissions Inspection (VEI) Program is implemented in the Tucson Air Planning Area carbon monoxide (CO) nonattainment area. The Enhanced VEI Program is implemented in the Maricopa County (Phoenix) ozone and CO nonattainment area. The effective date of the SIP approval is 21 February 2003. For further information, contact Sylvia Dugre. EPA at (415) 947-4149, or e-mail: dugre.sylvia@epa.gov.

Legislative Developments

The 2003 legislative session convened 12 January. For current information on the legislative session, link <http://www.azleg.state.az.us>.

ARIZONA HB 2035 – LAND USE - Requires that express written consent of a property owner must be given before a governing body or zoning body rezones land and changes the zoning classification of land in such a way that restricts the use or reduces the value of the land. Introduced 9 January 2003. The sponsor is Representative Marian McClure (R).

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CALIFORNIA

Regulatory Developments & Other State Information

FINAL REGULATION – LISTING OF ORCUTT’S HAZARDIA AS THREATENED SPECIES – The California Fish and Game Commission has listed the Orcutt’s Hazardia (*hazardia orcuttii*) as threatened. California has one known population of 350 individuals within Lux Canyon in Encinitas. The plant grows on coastal slopes and mesas, but not on the immediate coast, in bluff scrub areas. The listing was effective 25 January 2003. For more information, contact Sandra Morey at (916) 653-4875, or link <http://www.oal.ca.gov/notice/34z-2002.pdf>.

AIR INFORMATION:

DIRECT FINAL RULE – APPROVAL OF SIP REVISIONS FOR SANTA BARBARA AND YOLO-SOLANO DISTRICTS – On 23 January 2003 (68 FR 3190), EPA took direct final action to approve revisions to the Santa Barbara County Air Pollution Control District (SBCAPCD) and the Yolo-Solano Air Quality Management District (YSAQMD) portions of the California State Implementation Plan (SIP). The SBCAPCD revision concerns the emission of particulate matter from open fires and prescribed burning. The YSAQMD revision concerns the emission of volatile organic compounds from the transfer of gasoline at dispensing facilities. EPA is approving the local rules that regulate these emission sources under the Clean Air Act. This rule will be effective on 24 March 2003 without further notice, unless EPA receives adverse comments by 24 February 2003. If EPA receives such comments, it will publish a timely withdrawal in the Federal Register to notify the public that this rule will not take effect. For further information, contact Al Petersen, EPA at (415) 947-4118.

DIRECT FINAL RULE – APPROVAL OF SIP REVISIONS FOR IMPERIAL COUNTY AND MONTEREY BAY – On 31 January 2003 (68 FR 4929), EPA took direct final action to approve revisions to the Imperial County Air Pollution Control District (ICAPCD) and the Monterey Bay Unified Air Pollution Control District (MBUAPCD) portions of the California State Implementation Plan (SIP). The ICAPCD revision concerns the emission of particulate matter (PM-10) from agricultural burning. EPA also made an interim final determination to stay and /or defer imposition of sanctions based on the proposed approval (68 FR 4932). The MBUAPCD revision concerns the emission of PM-10 from incinerator burning. EPA approved the local rules that regulate these emission sources under the Clean Air Act. This rule is effective on 1 April 2003 without further notice, unless EPA receives adverse comments by 3 March 2003. If EPA receives such comments, it will publish a timely withdrawal in the Federal Register to notify the public that this rule will not take effect. For further information, contact Al Petersen, EPA at (415) 947-4118.

FINAL REGULATION – POSTPONEMENT OF CARFG3 STANDARDS AND PROHIBITION OF MTBE
The California Air Resources Board (CARB) has adopted regulations to implement the postponement of Governor Gray Davis' executive order banning MTBE and other ether-based oxygenates in California's Phase 3 Reformulated Gasoline. The ban is now effective 31 December 2003 rather than 31 December 2002. Other MTBE-related deadlines are also delayed by one year. The postponement was effective 24 December 2002. For more information, contact Steve Brisby at (916) 322-6019, or link <http://www.arb.ca.gov/regact/mtbepost/fro.pdf>.

FINAL REGULATION – SAN JOAQUIN NEW SOURCE REVIEW – The San Joaquin Valley Air Pollution Control District has amended its new source review regulations to make them consistent with EPA requirements. The amendments include: (1) limiting the agricultural operation exemption to the extent allowed by state law; (2) a mandatory and enforceable remedy to cure any annual shortfall and prevent shortfalls in the District's New Source Review Offset Equivalency Tracking System; and (3) application of best available control technology to all Title I modifications. The amendments were effective 19

December 2002. For more information, contact George Heinen at (209) 497-1075, or link <http://www.valleyair.org/rules/currnrules/r2201.pdf>.

FINAL REGULATION – SAN JOAQUIN BOILERS, STEAM GENERATORS, AND PROCESS HEATERS – The San Joaquin Valley Air Pollution Control District has amended its regulation of emissions from boilers, steam generators, and process heaters. The amended rule deletes the exemption from federal enforceability for units located west of Interstate Highway 5 in Fresno, Kern, and Kings Counties. These units are now subject to federal standards. The amendment was effective 19 December 2002. For more information, contact Joven Nazareno at (559) 230-5800, or link <http://www.valleyair.org/rules/currnrules/r4305.pdf>.

FINAL REGULATION – SAN JOAQUIN INTERNAL COMBUSTION ENGINES – The San Joaquin Valley Air Pollution Control District has amended its regulations on internal combustion engines. The amendment deletes the exemption from federal enforceability for units located west of Interstate Highway 5 in Fresno, Kern, and Kings Counties. These units are now subject to federal standards. The amendment was effective 19 December 2002. For more information, contact Saul Gamez at (559) 230-5800, or link <http://www.valleyair.org/rules/currnrules/r4701.pdf>.

PROPOSED REGULATION – 2003 ZERO EMISSION VEHICLE MODIFICATIONS – The California Air Resources Board has proposed amendments for 2003 to its Zero Emission Vehicle (ZEV) program to account for recent technological developments and pending litigation. The amendments will: (1) delay the start of percentage ZEV requirements until 2005 MY; (2) delete the efficiency multiplier for advanced technology partial ZEVs (AT PZEV) and change the method for awarding allowances for AT PZEVs; (3) change the way credits from ZEVs are calculated and applied; (4) expand the manufacturer's compliance options before the 2012 model year (MY); (5) redefine "placed in service" requirements; (6) revise the warranty requirements for energy storage devices; (7) extend the sunset date on the award of transportation system credits from MY 2007 to MY 2011; and (8) remove credits earned by vehicles from the cap on the use of transportation system credits. Written comments are due by 26 February 2003. For more information, contact Chuck Shulock at (916) 322-6964, or link <http://www.arb.ca.gov/msprog/zevprog/2003rule/2003rule.htm>.

WASTE INFORMATION:

PROPOSED REGULATION – WASTE TIRE HAULER REGISTRATION AND MANIFEST REGULATIONS – The California Integrated Waste Management Board (IWMB) has proposed to amend its waste tire hauler registration and manifest regulations. The amendments will: (1) develop a new California Used and Waste Tire Manifest, which will require all users of the Manifest Form and Tire Trip Log to submit the original documents to IWMB; (2) delete the current registration exemption for foreign waste tire haulers and require them to become registered with IWMB; (3) require commercial carriers and agricultural tire haulers to complete the Manifest Form and Tire Trip Log and submit the originals to IWMB; (4) clarify the denial, suspension, and revocation hearing process; and (5) require waste tire end-use facilities to report, using the Manifest Form, any unregistered waste tire hauler to IWMB. For more information, contact Keith Cambridge at (916) 341-6422, or link <http://www.ciwmb.ca.gov/Rulemaking/TireManifest/PropText2.doc>.

PROPOSED REGULATION – PHASE II CONSTRUCTION, DEMOLITION, AND INERT DEBRIS STANDARDS AND PERMIT REQUIREMENTS – The California IWMB has proposed Phase II regulations that set forth permitting requirements and minimum operating standards for operations and facilities that receive, store, handle, recover, process or dispose of construction, demolition, and inert debris. The proposed regulations will: (1) define construction, demolition and inert debris disposal operations and facilities; (2) place these operations and facilities into the regulatory tiers; and (3) establish regulatory oversight, permitting requirements, and minimum operating standards to protect public health, safety and the environment. Written comments are due by 3 March 2003. For more information, contact Allison Spreadborough at (916) 341-6803, or link <http://www.ciwmb.ca.gov/Rulemaking/CDMater/45TextPhII.doc>.

Legislative Developments

The 2003 legislative session convened 7 January. For current information on the legislative session, link <http://www.leginfo.ca.gov/index.html>.

CALIFORNIA SB 13 – RADIOACTIVE WASTE - Prohibits the disposal of radioactive waste, as defined, at a hazardous waste disposal facility that is subject to the state hazardous waste control laws. Exempts the disposal of solid or hazardous waste that contains technically enhanced naturally occurring radioactive material (TENORM) at a solid or hazardous waste disposal facility from the licensing requirements imposed under the Radiation Control Law. Prohibits any generator or owner of radioactive waste from disposing of radioactive waste, or any materials containing byproduct, source, or special nuclear material, or transmitting to any person or entity for disposal, that material or waste, except at a specified licensed facility. Excludes from the act the handling and disposal of wastes containing TENORM if those wastes meet specified criteria. Permits any TENORM waste that is not a hazardous waste to be disposed of at a class II waste management unit that is dedicated primarily to the management of industrial or designated wastes. Introduced 2 December 2002. Referred to Senate Environmental Quality Committee 8 January 2003. The sponsor is Senator Gloria Romero (D).

CALIFORNIA SB 18 – LAND USE - Makes clarifying changes to existing law that authorizes the Native American Heritage Commission to bring an action to prevent severe and irreparable damage to, or assure appropriate access for Native Americans to, a Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property. Introduced and referred to Senate Rules Committee 3 December 2002. The sponsor is Senator John Burton (D).

CALIFORNIA SB 56 – WATER - Adopts and authorizes the upstream and downstream portions of the Murrieta Creek Flood Control Project in Riverside County, in accordance with federal law, and with the state's participation. Requires the Riverside County Flood Control and Water Conservation District to carry out the project and to give assurances of local cooperation to the Secretary of the Army, thereby imposing a state-mandated local program. Introduced 14 January 2003. The sponsor is Senator Dennis Hollingsworth (R).

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HAWAII

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Regulatory Developments & Other State Information

No significant regulatory issues to report.

Legislative Developments

The 2003 legislative session convened 15 January. For current information on the legislative session, link <http://www.capitol.hawaii.gov/sessioncurrent/bills>.



NEVADA

AIR INFORMATION:

PROPOSED RULE – APPROVAL OF CLARK COUNTY PM10 SIP REVISION – On 22 January 2003 (68 FR 2954), EPA proposed to approve provisions of the PM-10 State Implementation Plan (SIP) for Clark County that address attainment of the annual and 24-hour PM-10 national ambient air quality standards. EPA also proposed to grant Nevada's request to extend the Clean Air Act deadline for attaining the 24-hour PM-10 standards in the Las Vegas area from 2001 to 2006. Comments must be received in writing by 21 February 2003. For further information, contact Karen Irwin, EPA at (415) 947-4116, or e-mail: irwin.karen@epa.gov.

PROPOSED RULE – APPROVAL OF CLARK COUNTY CO SIP REVISIONS – On 28 January 2003 (68 FR 4141), EPA proposed to approve SIP revisions submitted by Nevada to provide for attainment of the carbon monoxide (CO) national ambient air quality standards in the Clark County (Las Vegas) Nonattainment Area. EPA proposed to approve the SIP revisions under provisions of the Clean Air Act regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards, and plan requirements for nonattainment areas. Written comments on the proposal must be received by 27 February 2003. For further information, contact Karina O'Connor, EPA at (775) 833-1276, or e-mail: oconnor.karina@epa.gov.

Legislative Developments

The 2003 legislative session convened 3 February. For current information on the legislative session, link <http://www.leg.state.nv.us/>.

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